

REMARKS

In the Office Action dated November 2, 2004, pending Claims 1-16 were rejected and the rejection made final. In response Applicants have filed herewith a Request for Continued Examination and have amended independent Claims 1, 10, 12, 15 and 16. Applicants intend no change in the scope of the claims by the changes made by this amendment. It should be noted these amendments are not in acquiescence of the Office's position on allowability of the claims, but merely to expedite prosecution.

Applicants and the undersigned are most grateful for the time and effort accorded the instant application by the Examiner. On February 1, 2005, Applicants' counsel conducted a telephone interview with the Examiner in which the present application and the applied references were discussed. No agreement, however, was reached with respect to the claims of the present application.

The Office is respectfully requested to reconsider the rejections presented in the outstanding Office Action in light of the following remarks.

Claims 1-16 again stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Ferstenberg et al. in view of Applicants' alleged admissions. The Office is respectfully requested to reconsider the rejections presented in the outstanding Office Action in light of the following remarks. While the remarks are addressed to the Fertenberg et al. reference, this is merely to expedite prosecution, and should not be taken to mean that Applicants agree with the Office's position on Applicants' alleged admissions or the official notice purportedly taken by the Office on certain matters.

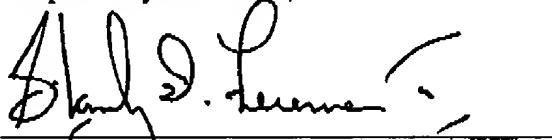
The present invention is broadly direct to a match-making process in which supplier offers can be matched to client requirements and updatable feature data elements are provided by both parties and current specifications for the features in question can be obtained repeatedly by the trader device so that a condition dependent on these current specifications can be evaluated as part of the match-making process. (Page 6, lines 1-6) By providing for repeated updates of updatable feature data elements in this way, the updatable feature data elements can be exploited to enable a client and supplier to successively modify the required and offered features, thus providing a mechanism for conducting structured negotiations between the parties as part of the match-making process. (Page 6, lines 6-10) Thus, embodiments of the invention provide an elegantly simple and efficient process for supporting negotiation in the match-making operation.

The instantly claimed invention requires specifically requires “constraint data in standard CORBA constraint language”. (Claim 1) Similar language appears in the other independent claims. As noted in the present application, CORBA is described, for example, in [OMG 95] “The Common Object Request Broker: Architecture and Specification”, document Number 91.12.1, Object Management group and X/Open, 1992. The trading service in particular is described in [OMG 96] RFP5 Submission: “CORBA Trading Object Service”, Document orbos/96-05-06, May 10, Object Management group and X/Open, 1996. (Page 2, lines 6-12) Information on CORBA may also be obtained from [<http://www.corba.com>]. Using standard CORBA constraint language is simply not taught or suggested by Ferstenberg et al.

In view of the foregoing, it is respectfully submitted that Claims 1, 10, 12, 15 and 16 are fully distinguishable over the applied art and are thus allowable. By virtue of dependence from these claims, it is thus also submitted that Claims 2-9, 11 and 13-14 are also allowable at this juncture.

In summary, it is respectfully submitted that the instant application, including Claims 1-16, is presently in condition for allowance. Notice to the effect is hereby earnestly solicited. If there are any further issues in this application, the Examiner is invited to contact the undersigned at the telephone number listed below.

Respectfully submitted,



Stanley D. Ference III
Registration No. 33,879

Customer Number 35195
FERENCE & ASSOCIATES
400 Broad Street
Pittsburgh, Pennsylvania 15143
(412) 741-8400
(412) 741-9292 - Facsimile

Attorneys for Applicants